

Remarks

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-46, 48-52, 54, 61-64 and 66-72 are now pending in the application, with Claims 1, 4, 7, 16, 25, 34, 43, 49 and 61 being independent. Claims 1-42 have been withdrawn from consideration. Claims 47, 53, 55-60 and 65 have been cancelled without prejudice. Claims 43, 45, 49, 51, 61-64 and 66 have been amended and Claims 67-72 have been added herein.

Initially, Applicants note that although U.S. Patent No. 6,456,391 has been cited in the 35 U.S.C. § 102 rejection discussed below, that patent has not been made of record by the Examiner. It is respectfully requested that such be made of record in the next Office communication.

The Examiner has required restriction between three groups of inventions: Group I (Claims 1-6), Group II (Claims 7-42) and Group III (Claims 43-66). Applicants telephonically elected to prosecute the invention of Group III and that election is hereby affirmed. However, Applicant respectfully submits that the three groups of claims are closely related and that a proper search of any of the claims of one group would likely include a search of the claims of another group. Thus, it is submitted that all of the claims can be searched simultaneously and that a duplicative search with possibly inconsistent results may occur if the restriction requirement is maintained. Therefore, in the interest of

economy, both for the Office and Applicants, withdrawal of the restriction requirement is respectfully solicited.

Claims 55-66 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Without conceding the propriety of this rejection, Claims 55-60 have been cancelled. In addition, Claim 61 has been amended to be directed to a control program for causing a computer to perform a method for controlling an information processing apparatus. It is respectfully submitted that the claims in question are more clearly directed to statutory subject matter.

Reconsideration and withdrawal of the § 101 rejection are requested.

Claims 43-66 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,456,391 (Miyamoto et al.). This rejection is respectfully traversed.

With the present invention, outputs in plural different formats can be performed by a single output job.

Miyamoto et al. is directed to a printer and printing method in which an index print having thumbnail pictures is first produced, a user selects a desired picture from the index print by marking the desired picture, the index print is fed back into the printer, which detects the position of the mark and the desired print, and the selected picture is printed in full-size. As understood by Applicants, in Miyamoto et al. the index print representing plural images is produced on printing paper 10 based on data in the media having plural digital image data recorded. It is respectfully submitted that Miyamoto et al. does not disclose or suggest producing a print job comprising a group of job commands

and data to be printed, with the group of job commands including a command for a plurality of output formats, as is recited in independent Claims 43, 49 and 61.

Accordingly, Miyamoto et al. fails to disclose or suggest important features of the present invention recited in the elected independent claims.

Thus, independent Claims 43, 49 and 61 are patentable over the citations of record. Reconsideration and withdrawal of the § 102 rejection are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claims 43, 49 and 61. Dependent Claims 44-46, 48, 50-52, 54, 62-64 and 66-72 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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